

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

Angel L. Ortiz-Rivera,
Plaintiff

v.

Civil No. 04-2021 (HL)

Commissioner of Social Security,
Defendants

ORDER

Before the Court is Chief Magistrate Judge Justo Arenas' Report and Recommendation. (Docket No. 14). In his Report and Recommendation, Magistrate Judge Arenas recommends that the Commissioner of Social Security's ruling be affirmed. Plaintiff filed an objection to said Report and Recommendation. (Docket no. 17). Under Rule 72(b) of the Federal Rules of Civil Procedure, the Court is obligated to make a "de novo determination . . . of any portion of the magistrate judge's disposition to which specific written objection has been made in accordance with this rule." Fed. R. Civ. P. 72(b). The Court thereafter "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." *Phinney v. Wentworth Douglas Hosp.*, 199 F.3d 1 (1st Cir. 1999) (quoting 28 U.S.C. § 636(b)(1)(C)).

After a de novo review of the record, the Court agrees with the arguments and conclusions in the Report and Recommendation recommending that the Commissioner of Social Security's decision to deny plaintiff Angel L. Ortiz-Rivera disability benefits be affirmed because the evidence in the record supports the Administrative Law Judge's finding that plaintiff is not under a disability within the meaning of the Social Security Act. Therefore, the Court hereby **APPROVES** and **ADOPTS** the magistrate judge's Report and Recommendation in its entirety.

Accordingly, the Court hereby **AFFIRMS** the Commissioner of Social Security's

decision. Judgment shall be entered accordingly.

IT IS SO ORDERED.

San Juan, Puerto Rico, November 16, 2005.

S/ HECTOR M. LAFFITTE
United States District Judge